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8 **THE UNITED STATES DISTRICT COURT**
9 **CENTRAL DISTRICT OF CALIFORNIA**

10 AMITY RUBBERIZED PEN
11 COMPANY, a California Corporation,

12 Plaintiff,

13 v.

14 MARKET QUEST GROUP,
15 INCORPORATED, a California
Corporation etc., et al.,

16 Defendants.
17

18 _____
19 AND RELATED COUNTERCLAIMS
20 _____

Case No.: **CV 06-06165 GW (CWx)**
CV 07-08314 GW (CWx)

**ORDER RE DEFENDANTS' MOTION
TO HOLD PLAINTIFF AMITY
RUBBERIZED PEN CO. AND
ROBERT OROUMIEH IN
CONTEMPT OF THIS COURT'S
SEPTEMBER 20, 2011 ORDER RE
CONTEMPT**

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22 This matter came before the Court on January 23, 2012. Parties appeared by
23 their counsel of record.

24 Defendant Market Quest Group, Inc., by its counsel Julie Turner, moved to hold
25 Plaintiff Amity Rubberized Pen Company ("Amity") and Robert Oroumieh in
26

1 contempt of this Court's September 20, 2011 Order on Defendants' Motion for
 2 Contempt. Defendants also moved the Court to award the costs incurred, including
 3 attorneys' fees, by Defendants in bringing this motion.

4 Based on all materials submitted to the Court in connection with Defendant's
 5 motion and the record before the Court in this matter, the Court FINDS THAT
 6 Plaintiff Amity has failed to comply with the terms of this Court's September 20,
 7 2011 Contempt Order by failing to tender the costs and sanctions awarded to
 8 Defendants. The Court hereby GRANTS IN PART and DENIES IN PART
 9 Defendant's Motion.

10 The Court ORDERS THAT by February 22, 2012, Amity shall tender to
 11 Defendant either: (a) a cashier's check, made payable to MarketQuest Group, in the
 12 amount of \$26,344.86¹; or (b) Amity's financial information, which is to include all
 13 account numbers for any and all accounts with financial institutions (banks, savings
 14 and loans, credit unions, stocks or other investment vehicles, etc.), the financial
 15 statements for each such account from August 2011 through February 22, 2012, and
 16 Amity's ledgers for the same time period showing all assets owned by Amity
 17 (including equipment, real property, vehicles, etc.).

18 The Court further ORDERS THAT the parties are to submit a joint status report
 19 to the Court by noon on February 23, 2012, addressing Amity's compliance with this
 20 Order. A further status conference is scheduled for February 27, 2012, at 9:00 a.m.
 21 The parties may appear telephonically.


22 At this time, the Court DENIES Defendant's motion insofar as it seeks to hold
 23 Mr. Oroumieh personally in contempt of the Court's order. However, should Amity

24 ¹ This amount consists of the \$16,470.86 from the September 20, 2011 Contempt
 25 Order plus Defendant's fees of \$4,024.00 incurred for bringing this motion, plus \$50
 26 per day from October 28, 2011 through February 22, 2012, exclusive, as set forth in the
 Contempt Order. Should Plaintiff Amity tender a cashier's check to Defendant before
 February 22, 2012, it may deduct \$50 for each day that its payment is early.

1 fail to comply with this Order, the Court shall hold Mr. Oroumieh personally in
2 contempt.

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4 IT IS SO ORDERED.

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6 Dated: January 26, 2012



7 Hon. George H. Wu
8 United States District Judge
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